



PUBLIC WORKS ADMINISTRATION

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April 30, 2009

Municipal Permit Comments
WA Department of Ecology
Water Quality Program
PO Box 47696
Olympia, WA 98504-7696

RE: City of Kent Comments on Proposed NPDES Western Washington Phase II Permit Modification

Thank you for the opportunity to comment on the Proposed NPDES Western Washington Phase II Permit Modification. Please find the City of Kent's comments below:

S5.C.4. Controlling Runoff from New Development, Redevelopment and Construction Sites

The Permit Modification proposes to extend interim deadlines contained in S5.C.4. Nearly all of the deadlines in S5.C.4 are extended to November 16, 2009. However, S5.C.4.a still states that, "The ordinance or other enforceable mechanism shall be in place no later than thirty months from the effective date of this Permit." If this is meant to say that the ordinance or other enforceable mechanism must be "adopted" by August 16, 2009, then the Permit should be explicit in describing this requirement.

Phase II jurisdictions recently received the ruling from the Pollution Control Hearings Board (PCHB) and the draft modifications to the Phase II Permit. Prior to receiving the ruling and the draft modifications, the City of Kent was unable to fully analyze options under S5.C.4 to determine which manual and associated mechanisms would be most appropriate for use in Kent. This delayed the City of Kent's decision of which stormwater manual to adopt. The timing of the PCHB ruling and subsequent Permit Modification has delayed our efforts to review and finalize stormwater requirements and provide an adequate local public review process prior to the August 16, 2009 deadline. Therefore, the City of Kent requests that the interim deadlines for all S5.C.4 requirements be extended to February 16, 2010.

Thank you for the opportunity to provide comments on the Proposed Western Washington Phase II Permit Modification. Please contact Shawn Gilbertson of my staff at (253)856-5560 if you have any questions related to the above comments.

Sincerely,

A handwritten signature in black ink that reads "Larry Blanchard".

Larry Blanchard
Public Works Director

c: Tim LaPorte, P.E., Deputy Public Works Director
Michael Mactutis, P.E., Environmental Engineering Manager
Kelly Peterson, AICP, Environmental Conservation Supervisor
Shawn Gilbertson, NPDES Coordinator
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